



Docket: 14656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Leonard S. Schultz	Examiner:	Not Yet Known
Appln. No.:	10/612,862	Group Art Unit:	1724
Filing Date:	July 3, 2003		
Title:	SMOKE EVACUATION SYSTEM		

PETITION UNDER 37 CFR § 1.53(e)(2)
TO ACCEPT ENCLOSED APPLICATION PAGE 19
AS PART OF THE ORIGINAL APPLICATION PAPERS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U.S. mail addressed to: **Mail Stop Missing Parts**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30 day of March, 2004.


KrisAnne Popovits

Sir:

The Applicant submits this petition in response to a March 19, 2004 "Notice of Omitted Item(s) in a Nonprovisional Application." The March 19, 2004 Notice asserts that page 19 of the specification was omitted from the nonprovisional application papers as originally filed on July 3, 2003.

The Applicant submits that page 19 of the specification, a duplicate copy of which is enclosed with this petition, was properly submitted to the U.S. Patent and Trademark Office (the Office) with the original application papers. As evidence of this, the Applicant submits copies of the following documents:

- A copy of the Utility Patent Application Transmittal that was included with the original application papers. As noted on the transmittal, the specification as filed with cover sheet included "24 pages."

- A copy of the "Return Receipt Postcard – Patent Application," marked by the Office with the application serial number and filing date, which indicates submission of 24 pages comprising the "Specification with cover sheet."
- An "as filed" copy of the specification with cover sheet from the application docket file maintained at the office of the undersigned.

A check in the amount of \$130.00 is also enclosed as payment of the required petition fee under 37 CFR § 1.17(h). The Applicant understands that this petition fee will be refunded if this petition is granted.

It is respectfully requested that this petition be granted, that the enclosed page 19 be accepted as part of the original application papers filed on July 3, 2003, and that the Office refund the enclosed petition fee.

If the fee is insufficient or unnecessary, the Office is hereby authorized to charge or credit our Deposit Account No. 04-1420.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: March 30, 2004

By: David E. Bruhn
David E. Bruhn
Reg. No. 36,762
Intellectual Property Department
Suite 1500
50 South Sixth Street
Minneapolis, MN 55402-1498
(612) 340-6317

The present invention may be embodied in other specific forms without departing from the essential spirit or attributes thereof. It is desired that the embodiments described herein be considered in all respects as illustrative, not restrictive, and that reference be made to the appended claims for determining the scope of the invention.